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SUPPLEMENT 10 to ATTACHMENT 2.6-A  
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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: ILLINOIS

CONSIDERATION OF MEDICAID QUALIFYING TRUSTS--UNDUE HARDSHIP

1902(k)(4) of the  
Act, P.L. 99-272  
(Section 9506)

The following criteria will be used to determine whether the agency will not count the funds in a trust as specified in ATTACHMENT 2.6-A, section C.2., because it would work an undue hardship for categorically and medically needy individuals:

Undue hardship exists if an individual would be deprived of life sustaining services by the denial of Medicaid. This includes situations resulting from the trustee's failure or refusal to pay for the services. Undue hardship also exists if the trustee's failure to pay for residential medical care will result in the expulsion of the patient from the facility and endanger the life of the patient.

**OFFICIAL**

TN No. 91-9

Supersedes

TN No. 88-18

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